IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

	ADDED	
Defendants.)	
)	
CITY OF CHICAGO, et al.,)	Judge Robert M. Dow, Jr.
	Ś	
V.)	Case No. 10-cv-4257
Plaintiffs,)	
)	
SECOND AMENDMENT ARMS, et al.,)	

ORDER

Before the Court is Defendants' motion to dismiss counts IX, X, XII, and XV of Plaintiffs' third amended complaint [123]. Because Plaintiffs concede that the statute of limitations has run on counts XII and XV as currently pleaded, see [129] at 5, the Court grants Defendants' motion to dismiss as to those counts without prejudice.

The other two counts of Plaintiffs' amended complaint that Defendants have moved to dismiss allege that various provisions of Defendant City of Chicago's gun laws violate the Substantive Due Process clause (count IX) and Dormant Commerce Clause of the Constitution (count X) to the extent that they prohibit gun sales and shops within the City's borders. Since Plaintiffs' third amended complaint was filed, however, the City Council has enacted at least two substantial revisions to the City's gun laws. Many of the City's gun laws, including some of those challenged by Plaintiffs in this lawsuit, appear to have been substantively revised in September 2013. Additionally, in January 2014, Judge Chang ruled that certain provisions of the ordinance were unconstitutional and issued a permanent injunction enjoining the City of Chicago and Mayor Emanuel, and their officers, agents, servants, employees, and attorneys, from enforcing Chicago Municipal Code § 8-20-100(a) and § 17-16-0201, "to the extent that it prohibits the construction and operation of firearms sales businesses." See [130-1] (citing *Ill. Ass'n of Firearms Retailers v. City of Chi.*, Case No. 10-cv-4184 (N.D. Ill.). Judge Chang stayed the injunction until July 14, 2014. See *id.* In response, the Chicago City Council last week unanimously approved additional revisions to the City's gun laws.

Whether and to what extent the substantive changes in the City's gun laws affect the remaining counts implicated by Defendants' motion to dismiss and Plaintiffs' lawsuit generally is unclear at this time. The Court accordingly sets this matter for status on 7/11/2014 at 9:30 a.m. so that the parties may apprise the Court of how they wish to proceed with this case in light of the aforementioned legal developments.

Dated: 6/30/2014

Robert M. Dow, Jr.

United States District Judge